

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

CAMARA SMITH, et al.,

Plaintiffs,

v.

**THE CHEESECAKE FACTORY
RESTAURANTS, INC.,**

Defendant.

**Case No. 3:06-cv-00829
Judge Haynes**

*ORDER
This motion is
GRANTED
will be
1-15-13*

**MOTION FOR LEAVE TO FILE REPLY BRIEF IN FURTHER SUPPORT OF
DEFENDANT'S MOTION TO VACATE**

Pursuant to Local Rule 7.01(b), Defendant hereby moves the Court for leave to file the Reply Brief in Further Support of Defendant's Motion to Vacate, which is attached hereto. As grounds for this Motion, Defendant states as follows:

In response to Defendant's Motion to Vacate, Plaintiffs filed a "Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 12(b)(1) and, in the Alternative, Opposition to Defendant's Motion to Vacate Arbitration Award." (Doc. 165). Defendant has filed a separate Response in Opposition to Plaintiffs' Motion to Dismiss in order to address those arguments that appear to relate to Plaintiffs' request that this Court "dismiss" Defendant's Motion to Vacate on jurisdictional grounds. However, Plaintiffs' filing also raised several other arguments that do not relate to a request to "dismiss" the Motion to Vacate, but which were not addressed in Defendant's Motion to Vacate. In raising these arguments, Plaintiffs rely on caselaw that has been reversed and make several representations concerning the procedural history of this proceeding that are inaccurate. These arguments should not be allowed to go unanswered and Defendant submits that briefing on these arguments raised by Plaintiffs would be helpful to the